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Attorneys for Defendants
FRANK GRUICH, JR., and GRUICH PHARMACY SHOPPE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID McKAY, SHEILA McKAY and THE
ESTATE OF JOHN McKAY,

Plaintiffs,

vs.

CHRISTIAN HAGESETH, FRANK
GRUICH, JR., GRUICH PHARMACY
SHOPPE, JRB SOLUTIONS, INC., JRB
HEALTH SOLUTIONS, LLC, BENJAMIN
KREIS and GREG TUTTLE,

Defendants.

CASE NO. C-06-1377 MMC

HONORABLE MAXINE M. CHESNEY
COURTROOM 7

**STIPULATION TO CONTINUE
DEFENDANTS' FRANK GRUICH,
JR. AND GRUICH PHARMACY
SHOPPE'S MOTION TO DISMISS
WITH RESPECT TO PLAINTIFFS'
AMENDED COMPLAINT FROM
MAY 12, 2006, TO MAY 26, 2006**

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IT IS HEREBY STIPULATED, by and between the parties, through their respective attorneys of record, that the hearing date of Defendants' Frank Gruich, Jr. and Gruich Pharmacy Shoppe's Motion to Dismiss With Respect to Plaintiffs' Amended Complaint in this matter,

1 presently set for May 12, 2006 at 9:00 a.m. in Courtroom 7 of the above-entitled Court, be
2 continued to May 26, 2006, at 9:00 a.m. or as soon thereafter as the Court deems appropriate.

3 DATED: April 26, 2006

CARROLL, KELLY, TROTTER, FRANZEN & McKENNA

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5 By: 

6 MARK V. FRANZEN
7 DMITRIY CHEREPINSKIY
8 Attorneys for Defendants
9 FRANK GRUICH, JR., and
10 GRUICH PHARMACY SHOPPE

11 DATED: April 26, 2006

12 WALKUP, MELODIA, KELLY, WECHT &
13 SCHOENBERGER

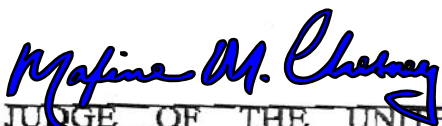
14 By: 

15 Matthew D. Davis, Esq.
16 Attorneys for Plaintiffs
17 DAVID McKAY, SHEILA McKAY AND
18 THE ESTATE OF JOHN McKAY

19 IT IS HEREBY ORDERED THAT the parties' request to continue Defendants' Frank
20 Gruich, Jr. and Gruich Pharmacy Shoppe's Motion to Dismiss With Respect to Plaintiffs'
21 Amended Complaint is hereby GRANTED. The new Motion to Dismiss date is
22 May 26, 2006 at 9:00 a.m./p.m., in Department of the above-entitled Court.

23 IT IS SO ORDERED.

24 DATED: April 28, 2006

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26 JUDGE OF THE UNITED STATES
27 DISTRICT COURT, NORTHERN
28 DISTRICT OF CALIFORNIA